

Membership Balance Plan

Renewable Energy and Energy Efficiency Advisory Committee

- (1) **Name:** Renewable Energy and Energy Efficiency Advisory Committee
- (2) **Authority:** The Secretary of Commerce established the Renewable Energy and Energy Efficiency Advisory Committee (the Committee) pursuant to duties imposed by 15 U.S.C. 1512 upon the Department, in accordance with the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App.
- (3) **Mission/Function:** The Committee shall advise the Secretary of Commerce (the Secretary) regarding the development and administration of programs and policies to expand the export competitiveness of U.S. renewable energy and energy efficiency product and service. The Committee's work on energy efficiency will focus on technologies, services, and platforms that provide system-level energy efficiency to electricity generation, transmission, and distribution. These include smart grid technologies and services, as well as equipment and systems that increase the resiliency of power infrastructure. For the purposes of this Committee, covered goods and services will not include vehicles, feedstock for biofuels, or energy efficiency as it relates to consumer goods. Non-fossil fuels that are considered renewable fuels (e.g., liquid biofuels and pellets) are included.
- (4) **Points of View:** The Committee shall consist of approximately 35 members appointed by the Secretary in accordance with applicable Department of Commerce guidance and based on their ability to carry out the objectives of the Committee. Members shall represent U.S. companies, U.S. trade associations, and U.S. private sector organizations with activities focused on the export competitiveness of U.S. renewable energy and energy efficiency goods and services. Members shall reflect the diversity of this sector, including in terms of entity or organization size, geographic location, and subsector represented. The Committee shall also represent the diversity of company or organizational roles in the development of renewable energy and energy efficiency projects, including, for example, project developers, technology integrators, financial institutions, and manufacturers. The Secretary shall appoint to the Committee at least one individual representing each of the following:
- a. a U.S. renewable energy company involved in international trade;
 - b. a U.S. energy efficiency company involved in international trade;
 - c. a U.S. small business in the renewable energy or energy efficiency industry that is involved in international trade;
 - d. a U.S. trade association in the renewable energy or energy efficiency sector;
 - e. a U.S. private sector organization involved with international investment or financing activities concerning the international trade of renewable energy and energy efficiency products and services;
 - f. a U.S. company or organization involved with business activities concerning the development of renewable energy and energy efficiency projects in international markets; and

- g. a U.S. smart grid company or organization with technology or services that improve the reliability, efficiency, and/or security of the electric grid and involved in international trade.

Members shall serve at the pleasure of the Secretary from the date of appointment to the Committee to the date on which the Committee's charter terminates. Members, all of whom come from the private sector, shall serve in a representative capacity presenting the views and interests of a U.S. entity or U.S. organization, as well as their particular subsector; they are, therefore, not Special Government Employees. Members may be reappointed to any number of additional terms, provided that the member proves to work effectively on the Committee and his/her knowledge and advice is still needed.

(5) Other Balance Factors: Members shall reflect the diversity of firms and organizations involved in the export of renewable energy and energy efficiency goods and services and in the development of foreign renewable energy and energy efficiency projects, including in terms of company size and geographic location.

(6) Candidate Identification Process: The Designated Federal Officer (DFO) and Secondary DFO for the Committee solicit applications/nominations for membership to ensure a qualified and diverse pool of candidates through the following mechanisms: a *Federal Register* notice; Department of Commerce website notification; outreach to 100+ Department of Commerce offices located throughout the United States; outreach to relevant industry trade associations; outreach to past and current Committee members; and conducting meetings with stakeholders.

The DFO, the Assistant Secretary for Industry and Analysis, the Under Secretary for International Trade, the Office of the General Counsel, and advisors and staff from the Office of the Secretary of Commerce, are all involved in various stages of the appointment process and in determining the balance on the Committee. Prospective members are: internally vetted within the International Trade Administration and any other Departmental operating unit that may have an interest in the work of the Committee; externally vetted through a variety of publicly available databases and other public information; and subject to an ethics check against the Secretary of Commerce's Disqualification Statement. The Secretary will make the final determinations.

The process will result in consideration of a cross-section of those U.S. companies, trade associations, and organizations directly affected, interested, and qualified regarding the functions and tasks to be performed by the Committee, nominating representatives with demonstrated relevant professional or personal qualifications and experience (41 CFR § 102-3.60(b)(3)). The Designated Federal Officer will monitor applications and ensure balance on the Committee.

Should vacancies occur, the DFO can initiate the candidate identification process specified above to solicit candidates to fill the vacancy unless the term of the appointment would expire prior to being able to fill the vacancy.

(7) Subcommittee Balance: The process for determining Federal advisory committee member balance on subcommittees is the same as the process for the parent Federal advisory committee. All subcommittees or working groups shall be subject to the provisions of the FACA. Such subcommittees or working groups may not work independently of the chartered Committee and must report their recommendations and advice to the Committee for full deliberation and discussion. Subcommittees or working groups have no authority to make decisions on behalf of the Committee nor can they report directly to the Secretary or designees.

(8) Other. Appointments shall be made without discrimination on the basis of age, ethnicity, gender, sexual orientation, disability, or cultural, religious, or socioeconomic status.

(9) Date Prepared/Updated: April 2014